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Capital Investment Funding, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CAPITAL INVESTMENT FUNDING, LLC Plaintiff, v. LANCASTER RESOURCES, INC.; LRI II, LLC; LANCASTER GROUP, LLC; 115 EAST CENTRAL BLVD, LLC; 39 UNION SQUARE, LLC; 41 LEGION, LLC; 410 BRINKERHOFF, LLC; 411 BRINKERHOFF AVE, LLC; 5 CASTLE HILL COURT, LLC; 638 EAST CRESENT, LLC; BERGEN 73, LLC, CLUB DRIVE, LLC; CREEKSIDE PARTNERS, LLC; FOUR-FIFTHS, LLC; HIGH POINT HOLDINGS, LLC; LAKEVIEW AT HIGH POINT, LLC; LAKEVIEW LIQUORS, LLC; LANCASTER DEVELOPERS, LLC; LANCASTER PROPERTY MANAGEMENT,LLC; LANCASTER REALTY GROUP, LLC; MONTAGUE HOLDINGS, LLC; PITSKYLIQ LLC; PRESIDENT ROAD, LLC; RIDGEFIELD PARK OFFICE COMPLEX, LLC; ROBERT J. L'ABBATE REAL ESTATE INVESTMENTS, INC.; SHEADS, LLC; SKYMARK ASSOCIATES, LLC; SKYMARK HOLDINGS, INC.; SKYMARK HOMES II, LLC; SKYMARK HOMES, LLC; SKYMARK PARTNERS, LLC; SKYMARK, LLC; WEST PALISADES COMMONS, LLC; WILTSHIRE PROPERTIES, LLC; ROBERT J. L'ABBATE; MARTIN ENDER; STUART KATZ; JAMES CASERTA; NEW RESOURCES, LLC; NEW DEVELOPERS, LLC; NEW GROUP, LLC; POINT PLEASANT TOWERS, LLC; JOHN DOES 1-10 (NAMES BEING FICTITIOUS) and ABC COMPANIES 1-100 (NAMES BEING FICTITIOUS), Defendants.	Case No. 2:08-cv-04714 (JLL)(JAD) CIVIL ACTION **CERTIFICATION OF CHRISTOPHER H. WESTRICK, ESQ., IN SUPPORT OF PLAINTIFF, CAPITAL INVESTMENT FUNDING, LLC'S MOTION TO IMPOSE A CONSTRUCTIVE TRUST**

I, CHRISTOPHER H. WESTRICK, do hereby certify as follows:

1. I am a partner with Tressler LLP and am fully familiar with the facts of this matter. I submit this Certification in support of the Motion by Plaintiff, Capital Investment Funding, LLC ("CIF"), to Impose a Constructive Trust.

2. A true copy of the Complaint is annexed hereto as Exhibit **A**.

3. A true copy of the Amended Complaint is annexed hereto as Exhibit **B**.

4. A true copy of the Bankruptcy Petition is annexed hereto as Exhibit **C**.

5. A true copy of the June 19, 2009 Opinion is annexed hereto as Exhibit **D**

6. A true copy of the June 19, 2009 Order is annexed hereto as Exhibit **E**.

7. A true copy of the August 12, 2009 Order is annexed hereto as Exhibit **F**.

8. A true copy of the November 10, 2011 Order is annexed hereto as Exhibit **G**.

9. A true copy of the February 20, 2014 Final Decree is annexed hereto as Exhibit **H.**

10. A true copy of the April 23, 2014 Order is annexed hereto as Exhibit **I.**

11. A true copy of the Second Amended Complaint is annexed hereto as Exhibit **J**.

12. A true copy of the July 17, 2014 Text Order is annexed hereto as Exhibit **K**.

13. A true copy of the August 20, 2014 Notice of Motion is annexed hereto as Exhibit **L**.

14. A true copy of the Title Report is annexed hereto as Exhibit **M**.

15. A true copy of the Mortgage and Security Agreement is annexed hereto as Exhibit **N**.

16. A true copy of RPOC's Brief date October 6, 2014 is annexed hereto as Exhibit **O**.

17. A true copy of CIF's proposed Third Amended Complaint is annexed hereto as Exhibit **P**.

18. A true copy of the Certification of Stuart Katz is annexed hereto as Exhibit **Q.**

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

TRESSLER LLP

By: ______________________________
CHRISTOPHER H. WESTRICK, ESQ.

Dated: October 8, 2014
NWK#57589